

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEON BROWN,

Plaintiff,

v.

R. ESMOND, et al.,

Defendants.

Case No. 1:21-cv-00808-ADA-CDB (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS
CERTAIN CLAIMS**

(ECF No. 17)

Plaintiff Leon Brown is a state prisoner proceeding *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 17, 2022, the assigned magistrate judge filed findings and recommendations, recommending that Plaintiff's complaint be dismissed, except for its claims of deliberate indifference to health and safety (claim two) against Defendants R. Esmond, J. Gutierrez, B. Cates, P. Vasquez, and W.J. Sullivan. (ECF No. 17.) The magistrate judge provided Plaintiff 14 days within which to file any objections to the findings and recommendations. (*Id.* at 2.) No objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of this case. Having carefully reviewed the file, the Court finds the findings and recommendations to be supported by the record and proper analysis.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The findings and recommendations issued on December 13, 2022 (ECF No. 17) are ADOPTED in full;
2. The claims in Plaintiff's complaint are DISMISSED, *except* for the claim of deliberate indifference to health and safety (Plaintiff's claim two) against Defendants R. Esmond, J. Gutierrez, B. Cates, P. Vasquez, and W.J. Sullivan; and
3. The matter is referred back to the assigned magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: February 17, 2023


UNITED STATES DISTRICT JUDGE